

Florida Supreme Court Issues New Guidance on Statewide Court Operations

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On June 16, 2020, Florida Supreme Court Chief Justice Charles Canady issued two new administrative orders and a new “best practices” memorandum adopting changes to guidelines for state court pandemic operations. Of note is a provision allowing circuits to independently return to in-person jury trials at different times based on local conditions. Beginning April 6, 2020, the state courts began operating in Phase 1 of the pandemic plan, which effectively closed courthouses, and made in-person proceedings rare.

Updated Administrative Order AOSC20-23 now permits local variations in a return to jury proceedings and replaces an earlier blanket statewide suspension of jury trials through at least July 17. Under the amended order, local chief judges now can remove the suspension of jury trials 30 days after determining that the trial-court circuit or a county within the circuit has transitioned to Phase 2 operations.

Updated Administrative Order AOSC20-32 provides guidelines for state courts to move into Phase 2. As defined in the order, Phase 2 is when limited in-person contact is authorized for certain purposes in the state courts and may require protective measures. Phase 3 is when in-person contact is more broadly authorized in the state courts with more relaxed protective measures. Phase 4 is when COVID-19 no longer presents a significant risk to public health and safety in the state courts.

Updated “Best Practices” Memorandum includes new guidelines on jury management in the pandemic, a recommended priority for resuming civil and criminal jury trials once they are authorized, and management of trial evidence during remote pretrial hearings in criminal cases.

The Court’s COVID-19 Workgroup, created April 21, 2020, is charged in part with updating these guidelines continuously as pandemic conditions change and as new information about COVID-19 is developed by health authorities. It will continue to meet and advise the Chief Justice at least through December 31, 2020.

The foregoing orders and other emergency orders can be accessed from the Florida Supreme Court’s website.

For the latest COVID-19 updates and information, visit our [Coronavirus \(COVID-19\) Resource Center](#).

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